

# Exhibit 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

HARRIS CORPORATION,

Plaintiff / Counterclaim-Defendant,

v.

HUAWEI DEVICE USA, INC.,  
HUAWEI DEVICE CO., LTD.,  
HUAWEI TECHNOLOGIES USA INC.,  
HUAWEI TECHNOLOGIES CO., LTD., and  
HUAWEI DEVICE (SHENZHEN) CO., LTD.,

Defendants / Counterclaim-Plaintiffs.

Case No. 2:18-cv-00439-JRG

**HUAWEI'S DISCLOSURE OF  
ASSERTED CLAIMS AND  
INFRINGEMENT  
CONTENTIONS**

**DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS**

Defendants / Counterclaim-Plaintiffs Huawei Device USA, Inc., Huawei Device Co., Ltd., Huawei Technologies USA Inc., Huawei Technologies, Co., Ltd., and Huawei Device (Shenzhen) Co., Ltd. (collectively, "Huawei") hereby provide their Disclosure of Asserted Claims and Preliminary Infringement Contentions relevant to United States Patent Nos. RE44,325 ("325 patent"); 8,416,892 ("892 patent"); 8,798,575 ("575 patent"); 9,838,851 ("851 patent"); and 10,117,226 ("226 patent"), and accompanying document production, pursuant to Local Patent Rules 3-1 and 3-2.

Huawei's investigation is ongoing, discovery is in its early stages, and Plaintiff / Counterclaim-Defendant Harris Corporation ("Harris") has only produced minimal documents in this case (and none related to the allegations in Huawei's Counterclaims (D.I. 56)). Accordingly, these disclosures are based on information available to Huawei at this time. Huawei expects that Harris and/or third parties will produce information regarding Harris's products and services

US 8,798,575	1-3, 8-9, 16-17, and 19	Harris Evolved Packet Core (EPC) components that include a Policy and Charging Rules Function (PCRF) and/or a Packet Data Network Gateway (PGW)
US 9,838,851	1-8	Harris Base Stations ( <i>see</i> Base Stations, '892 patent, above)
US 10,117,226	1-10	Harris Base Stations ( <i>see</i> Base Stations, '892 patent, above)
US 10,117,226	11-15	Harris devices that include LTE Multi-cell/multicast Coordination Entity (MCE) functionality

Harris does not publicly provide model numbers or model names for all of its infringing products, and Huawei's identification of products is provided with the level of specificity possible based on publicly available information.

The Harris PoE devices support PoE. For example, Harris advertises that the Harris RF-7800W-IU200 Network Interface Unit is capable of providing power to devices in accordance with the 802.3at PoE standard. *See* RF-7800W-IU200 Data Sheet, <https://www.harris.com/sites/default/files/downloads/solutions/rf-7800w-iu200-network-interface-unit-datasheet.pdf>. Harris advertises that the Harris RF-7800W-PS104 Rugged Power Supply is capable of providing power to devices in accordance with a POE standard. *See* RF-7800W-PS104 Rugged Power Supply Data Sheet, <https://www.harris.com/sites/default/files/rf-7800w-ps104-rugged-power-supply-specifications.pdf>. Harris advertises that the Harris Falcon III RF-7850A-TM001 Roll-on/Roll-off Airborne System is capable of providing power to devices in accordance with a POE standard. *See, e.g.*, <https://www.harris.com/sites/default/files/downloads/solutions/rf-7850a-tm001-roll-on-roll-off-airborne-system-datasheet.pdf>.

The Harris LTE Mobile Devices support LTE. For example, Harris advertises that the XL-185P and XL-200P are mobile devices that supports LTE. *See, e.g.*, [https://www.harris.com/sites/default/files/downloads/product\\_line/xl-family-portable-radios-](https://www.harris.com/sites/default/files/downloads/product_line/xl-family-portable-radios-)

[brochure.pdf](#). Harris advertises that the XL-185M is a mobile device that supports LTE. *See*, *e.g.*, <https://www.harris.com/solution/xl-185m-p25-mobile-radio>. Harris advertises that the RF-3590 LTE Tablet is a mobile device that supports LTE. *See, e.g.*, <https://www.harris.com/press-releases/2012/02/harris-corporation-introduces-ruggedized-tablet-for-defense-and-public-safety>.

The Harris LTE Base Stations support LTE. For example, Harris advertises that its Tactical 4G LTE radios support LTE. *See, e.g.*, <https://www.harris.com/solution-grouping/tactical-4g-lte-radios>. Harris advertises that Vehicle Based Radios, including the TM9300-DMR and TM9400 P25, provide connectivity through LTE. *See, e.g.*, <https://www.harris.com/sites/default/files/unified-vehicle-network-computing-platform.pdf>. Harris has prepared documents that show that its cellular site simulator devices support LTE. *See, e.g.*, <https://www.documentcloud.org/documents/3105793-Gemini-3-3-Quick-Start-Guide.html#document/p1>.

The Harris Evolved Packet Core (EPC) components that include a Policy and Charging Rules Function (PCRF) and/or a Packet Data Network Gateway (PGW) support LTE. For example, the “Harris LTE Capabilities Portfolio” advertises states that among the LTE components Harris provides are PCRFs and P-GWs.

The Harris devices that include LTE Multi-cell/multicast Coordination Entity (MCE) functionality support LTE through their use of Mission Critical Push-To-Talk (MCPTT). For example, Harris advertises that it has tested its MCPTT functionality at a MCPTT Plugtest “to ensure interoperability for LTE Mission Critical Push-To-Talk standards.” *See* <https://www.harris.com/press-releases/2017/07/harris-corporation-participates-in-first-mission-critical-push-to-talk>. Moreover, when implementing MCPTT over LTE, “[t]he use of eMBMS

for public safety is crucial for large-scale events.” *See*

[https://ecfsapi.fcc.gov/file/10706501320747/MCPTT\\_Colorado\\_Implementation.pdf](https://ecfsapi.fcc.gov/file/10706501320747/MCPTT_Colorado_Implementation.pdf).

### **C. Charts**

Claim Charts identifying where each limitation of each asserted claim is found within each Accused Product are attached hereto as Appendices 1 to 5. These claim charts are based on information and belief reasonably available to Huawei at this time. Huawei is likely to have additional evidentiary support regarding Harris’s infringement after a reasonable opportunity for further investigation and discovery, as discovery related to Huawei’s Counterclaims has not yet begun. Huawei reserves the right to amend, supplement, or otherwise revise these Infringement Contentions based on information developed in the course of this lawsuit through discovery or additional factual investigation, in view of the Court’s claim construction ruling, or as other circumstances may require.

### **D. Literal Infringement/Infringement under the Doctrine of Equivalents**

At this time, based on the information presently available to Huawei, Harris’s Accused Products literally infringe each element of the asserted claims as set forth in these contentions. Huawei has preliminarily identified, based on its current investigation, certain claim limitations that are also met under the doctrine of equivalents. Huawei reserves the right to amend its infringement contentions to identify additional claim terms that are met under the doctrine of equivalents after discovery from Harris, after the Court issues a claim construction order, and/or after new information becomes available to Huawei.

### **E. Priority Dates**

Huawei asserts that the Asserted Patents are entitled to claim priority to at least the following applications:

Respectfully submitted,

Dated: May 13, 2019

/s/ Alexander E. Middleton

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**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 13th day of May, 2019, with a copy of this document via email.

/s/ Alexander E. Middleton  
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